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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

OCT 16 2009
at 2 o'clock and 15 min. P.M.
SUE BEITIA, CLERK

Attorneys for Defendant AURORA LOAN SERVICES LLC

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

JACK DENNIS CONROW, SR.,

Plaintiff,

v.

MIRAD FINANCIAL GROUP, MORTGAGE
ELECTRONIC REGISTRATION GROUP,
AURORA LOAN SERVICES LLC, JOHN
DOES 1-9, JANE DOES 1-9, DOE
PARTNERSHIPS 1-9, DOE
CORPORATIONS 1-9, DOE LIMITED
LIABILITY COMPANIES 1-9, DOE
ENTITIES 1-9, and DOE GOVERNMENTAL
ENTITIES 1-9,

Defendant.

CIVIL NO. **CV09 00492 DAE KSC**

**NOTICE OF REMOVAL OF ACTION
TO FEDERAL COURT BASED ON
FEDERAL QUESTION JURISDICTION;**
exhibits A & B
[28 U.S.C. § 1446]

[Removed from the Circuit Court of the Third
Circuit, State of Hawaii, Case No. 09-1-0317]

**NOTICE OF REMOVAL OF ACTION TO FEDERAL COURT BASED ON FEDERAL
QUESTION JURISDICTION**

TO: THE COURT, ALL PARTIES, AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Defendant AURORA LOAN SERVICES LLC (“Defendant”) hereby removes the above-referenced litigation to this Court in accordance with 28 U.S.C. §§ 1331 and 1441.

1. On September 9, 2009, an action was commenced in the Circuit Court of the Third Circuit, State of Hawaii, entitled Jack Dennis Conrow, Sr., Plaintiff, v. Mirad Financial Group, Mortgage Electronic Registration Group, Aurora Loan Services LLC, John Does 1-9, Jane Does 1-9, Doe Partnerships 1-9, Doe Corporations 1-9, Doe Limited Liability Companies 1-9, Doe Entities 1-9, and Doe Governmental Entities 1-9, Defendants, as Case No. 09-1-0317. A true and correct copy of the Complaint is attached hereto as **Exhibit A**.

2. No consent for removal is required from Defendants Mortgage Electronic Registration Group, Mirad Financial Group, John Does 1-9, Jane Does 1-9, Doe Partnerships 1-9, Doe Corporations 1-9, Doe Limited Liability Companies 1-9, Doe Entities 1-9, and Doe Governmental Entities 1-9, because upon information and belief, those respective Defendants have not been served.

3. The first date upon which Moving Defendant received a copy of the Complaint was September 16, 2009, when Moving Defendant was served with a copy of the Summons and Complaint via its agent for service of process.

4. This Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b). Thirty days have not elapsed since Moving Defendant was served with the Complaint in this action.

5. No previous request for removal has been made by any party to this litigation.

6. This Court is the United States District Court for the district embracing the place where the state court action is pending and, thus, this Court is the appropriate Court of removal pursuant to 28 U.S.C. § 1441(a).

7. The Complaint presents questions arising under federal law and it originally could have been filed in this Court. More specifically, the Complaint asserts purported causes of action for violations of the Real Estate Settlement Procedures Act, 12 U.S.C. § 2601, the Home Ownership and Equity Protection Act, 15 U.S.C. § 1637, and the Truth in Lending Act, 15 U.S.C. (See Complaint, Exhibit A hereto.).

8. This Court has supplemental jurisdiction over any remaining purported causes of action under 28 U.S.C. 1367.

9. A true copy of this Notice of Removal is being filed forthwith with the Clerk of the Circuit Court of the Third Circuit, State of Hawaii. A true and correct copy of said Notice of Removal is attached hereto as **Exhibit B**.

WHEREFORE, Defendant respectfully requests that this action proceed in this Court as an action properly removed hereto.

DATED: Honolulu, Hawaii, October 16, 2009.



DAVID B. ROSEN
Attorney for Defendant
AURORA LOAN SERVICES LLC